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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Oct 13, 2023

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SUNDANCE SLOPE, LLC, a Washington  
limited liability company,

No. 2:23-CV-00083-SAB

Plaintiff,

v.

**ORDER DENYING MOTION  
FOR PROTECTIVE ORDER**

TROUT-BLUE CHELAN-MAGI, LLC, a  
Washington limited liability corporation;  
EDWARD JOHNSON, former chief  
executive officer of Trout-Blue Chelan-  
MAGI, Inc. and Trout-Blue Chelan-MAGI,  
LLC; THOMAS OLIVER, general  
manager, Trout-Blue Chelan-MAGI, LLC,  
Defendants.

Before the Court is the parties' Stipulated Motion and Order Under FRE  
502(d), ECF No. 35. Plaintiff is represented by Carl E. Hueber, Casey R.  
Simmons, Collette C. Simmons, and Darren M. Digiacinto. Defendants are  
represented by Nathan T. Alexander and Shawn Larsen-Bright. The motion was  
considered without oral argument.

The parties move the Court to enter a non-waiver order under Fed. R. Evid.  
502(d). The parties state that the provisions of Fed. R. Evid. 502(b) do not apply.

**ORDER DENYING MOTION FOR PROTECTIVE ORDER # 1**

1       Here, the Court finds that a Court order is unnecessary because the parties  
2 already have an agreement. This in no way forecloses future motions for protective  
3 order. As stated previously, ECF No. 30, the parties are free to contract between  
4 themselves regarding disclosure of information produced in discovery and pursue  
5 appropriate remedies in the event of breach. If, in the future, the parties wish to file  
6 specific items of discovery in the court record and protect such items from public  
7 access, the Court will entertain an application for a narrowly tailored protective  
8 order.

9       Accordingly, **IT IS HEREBY ORDERED:**

10      1.      The Parties' Stipulated Motion and Order Under FRE 502(d),  
11 ECF No. 35, is **DENIED**.

12      **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
13 file this Order and provide copies to counsel.

14      **DATED** this 13th day of October 2023.



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18      Stanley A. Bastian

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20      Chief United States District Judge  
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